

It seems remarkable that after days of argument, uncertainty as to the basic facts of the Underwood case still exists. Much of this confusion pertains to the legitimacy of the hearing committee and especially to the issue of replacements following resignations. Demands for a new committee seem to stem from two sources: 1) a belief that the Committee unilaterally added members without attempting to consult the Black students, or 2) the feeling that ~~whatever the merits of history of~~ even if the committee conducted its affairs in a manner beyond reproach, that it had failed to secure the confidence of one of the major parties and should therefore be replaced.

While a chronology of the case has been published, it did not allow the reader to make up his own mind from the available documentation. This flyer attempts to remedy that defect, in part.

The first disturbance to the original committee came with the resignation of Prof. Marsden (this resignation was later withdrawn).



development, the black students have decided that Leo Bentley, Professor Menon and Miss Margaret H. Goss, replace the above mentioned names." (our emphasis) Once again, no desire to consult Anderson is expressed, yet on that same day the ~~complaining~~ ^{complainants} rejected the committee and declared its "unilateral selection of this committee is in violation of our initial agreement."

We leave the reader to judge to judge who the violators ~~were~~ of the spirit of the original agreement were. [Insert I]

Hopefully, this answers the question of unilateral action but it does not speak to the pragmatists who would abolish ~~the committee~~ ^{the committee} to ~~salve~~ ^{salve} one party to the dispute. We ~~suggest~~ ^{remind you} that there are two parties to the dispute and that the third ~~party~~ but non-contesting party, the University, has expressed its willingness to abolish the committee if a new one is first agreed upon by the contestants. We have no faith that it would be any easier to construct a new committee than it was to maintain the old. ~~in that case, mere abolition of the present committee would leave Anderson in limbo.~~

Yet this may all be partially irrelevant. The hearing committee has completed its public work and will soon make its recommendations. Either contestant has then the right to utilize an appeal function to an external committee which will be agreed upon by all parties. The procedure is there to be used. We will carefully watch along with the rest of the University ^{community} to see if every effort to reach mutually acceptable solutions is made by all parties.

~~as faculty members with no official relation~~
~~to the Anderson~~

[Consent I]

It is no surprise to us to see the black student's evident contempt for the judicial practices established by the University and S.G. NAUT. That great black leader W.E.B. DuBois ^{wrote} ~~said~~ in 1903:

Four hundred years of white injustice has left its toll. ~~That is not to say~~ ^{suspicion is the} natural child of that history. ~~yet this~~ ^{thus} it may aid us to understand the ~~conduct~~ ^{feelings} of our fellow students on the other side of the color line. yet, ~~we may~~ ^{while} such an understanding ~~may remove~~ ^{restrains} us from charging bad faith, it does not ~~restrain~~ ^{restrain} us from criticizing especially ^{when} charges of bias were aimed ~~at~~ ^{particularly} at two ~~men~~ ^{black} professors.



Marsden resignation - Jan. 10 -

Notes his feeling that he would be open-minded but officers resignation in hope that he can "best serve the aims of those who wish to resolve the matter by functioning in my role as president of S.B.W.A.V.T." It was in this letter that Marsden expressed himself as being in favor of a replacement acceptable to both parties in the spirit of the original agreement on December 5.

The Comm then suggested Prof Fred Knelman & V.P. O'Brien ^{was to} attempt to secure the consent of both parties to Knelman as Marsden's replacement. On Jan. 17 (~~thus~~ ^{there}) the spirit of the agreement was first violated. Kennedy, Frederick and Douglas Messer presented Adamson with a list of five demands which they indicated, according to Adamson, were non-negotiable. This document is presented in full.

Note especially "Leo Bertley is on the Committee" (and copy) The character of Mr. Bertley a high school teacher and evening student is not in question any more than that of Knelman. But at this point, the ~~destructive~~ original agreement is violated not only in terms of a refusal to consult Anderson but also in the expressed desire to direct the Committee's procedure.

One more thing should be noted about the demand for Bertley's inclusion. The Black students were thus challenging the original concept that Anderson should be judged by his peers. Huey Newton, of the Black Panthers has vigorously fought for the recognition of this ~~the~~ concept by American courts and so too have Canadian professors. Davis & the other ~~plann.~~ ^{plann.} members agreed that "non-negotiable" demands were unacceptable.

Negotiation attempts continued but on Jan. 20 the roof fell in ~~feedback~~ ^{feedback} another communication from the students charged that Adamson, Davis, and Byrne were "incapable of judging the case impartially" in keeping with this latest